



2021 South Dakota Legislature

House Bill 1185

Introduced by: **Representative Pischke**

1 **An Act to reduce the penalty for manslaughter.**

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

3 **Section 1.** That § 22-16-15 be AMENDED.

4 **22-16-15. Homicide as manslaughter in first degree--Felony.**

5 Homicide is manslaughter in the first degree if perpetrated:

- 6 (1) Without any design to effect death, including an unborn child, while engaged in the
7 commission of any felony other than as provided in § 22-16-4(2);
- 8 (2) Without any design to effect death, including an unborn child, and in a heat of
9 passion, but in a cruel and unusual manner;
- 10 (3) Without any design to effect death, including an unborn child, but by means of a
11 dangerous weapon;
- 12 (4) Unnecessarily, either while resisting an attempt by the person killed to commit a
13 crime or after such attempt has failed.

14 Manslaughter in the first degree is a ~~Class C felony~~ Class 2 felony.